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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fisher et al.
Serial No. : 09/621,781 Examiner : Lambertson, David A.
Filed : July 21, 2000 Group Art Unit : 1636
Notice of Allowance : November 26, 2003
For : NUCLEIC ACIDS COMPRISING REGIONS OF THE RAT PEG-3
PROMOTER THAT DISPLAY ELEVATED EXPRESSION IN HUMAN
CANCER CELLS AND USES THEREOF

LETTER

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 24, 2004

Date of Deposit

Guy F. Birkenmeier

Attorney/Agent Name

52,622

PTO Registration No.

Guy F. Birkenmeier
Signature

February 24, 2004

Date of Signature

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is being submitted in response to the Examiner's Amendment that accompanied the Notice of Allowance dated November 26, 2003. Applicants respectfully request entry of the following remarks.

R E M A R K S

The Examiner's Amendment reminded Applicants that there were several outstanding issues with the drawings and enclosed a copy of a Form PTO-948. Applicants thank the Examiner for this reminder and, in response, Applicants submit herewith 13 sheets of formal drawings to replace the drawings of record. Therefore, Applicants respectfully request withdrawal of the existing drawings of record in favor of the drawings enclosed herewith.

The Examiner's Amendment also indicated that Applicant's Declaration submitted in connection with the amended priority claim was unsigned. The Examiner stated that Applicants are required to submit a Substitute Declaration in compliance with 37 C.F.R. § 1.66 or § 1.68.

Applicants have enclosed herewith a copy of a Substitute Declaration executed in compliance with 37 C.F.R. § 1.68.

Applicants have enclosed herewith the fee required pursuant to 37 C.F.R. § 1.18(a). While Applicants do not believe that any additional fees are required with this paper, the Commissioner is hereby authorized to charge any fees occasioned by this submission not otherwise enclosed herewith to Deposit Account No. 02-4377. A duplicate of this page is enclosed.

Respectfully submitted,

BAKER BOTTS, L.L.P.

February 24, 2004

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